

2009 DRAFTING REQUEST

Bill

Received: 01/16/2009

Received By: chanaman

Wanted: As time permits

Identical to LRB:

For: James Soletski (608) 266-0485

By/Representing: Hansen's office

This file may be shown to any legislator: NO

Drafter: chanaman

May Contact:

Addl. Drafters:

Subject: Employ Pub - collective bargain

Extra Copies:

Submit via email: YES

Requester's email: Rep.Soletski@legis.wisconsin.gov

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Arbitration and fair-share agreements during collective bargaining negotiations under the Municipal Employment Relations Act

Instructions:

See attached--companion to -1028

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	chanaman 01/16/2009	wjackson 01/20/2009					S&L
/1			phenry 01/21/2009		cduerst 01/21/2009	sbasford 01/21/2009	

FE Sent For:

<END>

↳ At Intro.

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/?	chanaman	1/16/20	1/21 ph	1/21 ph			

FE Sent For:

<END>

**Hanaman, Cathlene**

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**From:** Wagnitz, John  
**Sent:** Thursday, January 15, 2009 3:23 PM  
**To:** Hanaman, Cathlene  
**Cc:** Young, Dan  
**Subject:** FW: LRB 1028/1, relating to agreements during collective bargaining negotiations

**Attachments:** 09-10281.pdf

Cathlene,

Could you please draft an Assembly companion to LRB 1028 for Rep. Soletski?

Thank you,

John Wagnitz  
Office of State Senator Dave Hansen  
18 South, State Capitol  
phone: (608) 266-5670



09-10281.pdf (10  
KB)

RE: LRB 1028/1, relating to agreements during collective bargaining negotiations

***Analysis by the Legislative Reference Bureau***

Under the Municipal Employment Relations Act (MERA), during contract negotiations (contract hiatus) an employer must maintain the status quo with respect to wages, hours, and conditions of employment (mandatory subjects of bargaining). Any unilateral change in a mandatory subject of bargaining during a contract hiatus breaches the employer's duty to bargain collectively. The maintenance of the status quo during a contract hiatus does not extend to the obligation to arbitrate grievances or to honor fair-share agreements. This bill makes it a prohibited practice under MERA for an employer or an employee to end any grievance arbitration agreement during a contract hiatus and for an employer to end any fair-share agreement during a contract hiatus.

↑  
stays

2009 BILL

No changes

1 AN ACT <sup>Regon</sup> to create 111.70 (3) (a) 8. and 9. and 111.70 (3) (b) 7. of the statutes;  
 2 relating to: arbitration and fair-share agreements during collective  
 3 bargaining negotiations under the Municipal Employment Relations Act.

*Analysis by the Legislative Reference Bureau*

Under the Municipal Employment Relations Act (MERA), during contract negotiations (contract hiatus) an employer must maintain the status quo with respect to wages, hours, and conditions of employment (mandatory subjects of bargaining). Any unilateral change in a mandatory subject of bargaining during a contract hiatus breaches the employer's duty to bargain collectively. The maintenance of the status quo during a contract hiatus does not extend to the obligation to arbitrate grievances or to honor fair-share agreements.

This bill makes it a prohibited practice under MERA for an employer or an employee to end any grievance arbitration agreement during a contract hiatus and for an employer to end any fair-share agreement during a contract hiatus.

For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

*The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:*

4 SECTION 1. 111.70 (3) (a) 8. and 9. of the statutes are created to read:

**BILL**

1           111.70 (3) (a) 8. After a collective bargaining agreement expires and before  
2 another collective bargaining agreement takes effect, to fail to follow any grievance  
3 arbitration agreement in the expired collective bargaining agreement.

4           9. After a collective bargaining agreement expires and before another collective  
5 bargaining agreement takes effect, to fail to follow any fair-share agreement in the  
6 expired collective bargaining agreement.

7           **SECTION 2.** 111.70 (3) (b) 7. of the statutes is created to read:

8           111.70 (3) (b) 7. After a collective bargaining agreement expires and before  
9 another collective bargaining agreement takes effect, to fail to follow any grievance  
10 arbitration agreement in the expired collective bargaining agreement.

11

(END)

**Basford, Sarah**

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**From:** Young, Dan  
**Sent:** Wednesday, January 21, 2009 2:04 PM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB 09-1575/1 Topic: Arbitration and fair-share agreements during collective bargaining negotiations under the Municipal Employment Relations Act

Please Jacket LRB 09-1575/1 for the ASSEMBLY.